

Message Text

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TO AMEMBASSY TOKYO PRIORITY

UNCLAS STATE 113216

E.O. 11652: N/A

TAGS: BEXP JA

SUBJECT: TRADE FACILITATION COMMITTEE -- ASSISTANT
SECRETARY WEIL MEETING WITH JAPANESE MINISTER KAWAHARA,
APRIL 26.

1. ASSISTANT SECRETARY WEIL MET WITH MINISTER KAWAHARA OF
JAPANESE EMBASSY TO DISCUSS USG CONCERN OVER RECENT DEVELOP-
MENTS IN TFC MARKET ACCESS COMPLAINT MECHANISM. ALSO
PRESENT AT MEETING WAS NAOHIRO AMAYA, DIRECTOR GENERAL BASIC
INDUSTRIES DIVISION, MITI, VISITING WASHINGTON FOR STEEL
TALKS. AMAYA SAID HE TOOK ADVANTAGE OF OPPORTUNITY TO PAY
COURTESY CALL ON WEIL AND WOULD TAKE WEIL'S MESSAGE BACK TO
TOKYO THE NEXT DAY.

2. FOLLOWING ARE MAIN POINTS MADE BY WEIL:

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A. TFC COMPLAINT PROCESS DISCUSSED AT APRIL 21 INTERAGENCY
ASSISTANT SECRETARIES MEETING. IT WAS UNANIMOUSLY AGREED
THAT OUR INTEREST IN MAKING THE TFC WORK SHOULD BE EXPRESSED
AT THE HIGHEST LEVEL DURING FUKUDA VISIT. THERE IS CONSID-
ERABLE CONCERN OVER DEVELOPMENTS IN THE TFC COMPLAINT
PROCESS THAT MAY SUGGEST A NEED TO RECONSIDER THE TFC TERMS
OF REFERENCE. WE ARE BASING MUCH OF OUR DEFENSE AGAINST THE

PROTECTIONISTS ON THE CLAIM THAT THERE IS A NEW METHOD (I.E.

THE TFC) TO DEAL WITH MARKET ACCESS PROBLEMS. IF THE
TERMS OF REFERENCE ARE TOO NARROWLY DEFINED, IT WILL
REDUCE THE CREDIBILITY OF THIS EFFORT.

B. WE UNDERSTAND THE PROBLEM MITI HAS IN DEALING WITH TFC
CASES FALLING WITHIN THE JURISDICTION OF OTHER AGENCIES.
SOME CASES, HOWEVER, DO INVOLVE OTHER AGENCIES, AND WE
NEED TO KNOW THAT THE TFC HAS THE ABILITY TO GET ACTION ON
THESE CASES. WE WILL TRY NOT TO RAISE CASES THAT MAY MAKE
UNFAIR DEMANDS ON THE JAPANESE. WE MAY WISH TO DISCUSS
SOME CASES INFORMALLY BEFORE RAISING THEM AS FORMAL TFC
COMPLAINTS.

C. TWO CASES ARE OF PARTICULAR CONCERN -- JAPAN
TELEPHONE AND TELEGRAPH CORPORATION AND JAPAN TOBACCO AND
SALT MONOPOLY. WE NEED NOT ADDRESS THE SPECIFICS OF THESE
CASES BUT IF MORE CASES LIKE THOSE ARE REJECTED, THE
PUBLIC CREDIBILITY OF THE TFC AS A SERIOUS EFFORT WILL BE
DAMAGED. THIS IS A JOINT PROBLEM AND WE DO NOT WANT TO
GIVE THE IMPRESSION THAT WE ARE QUOTE BEATING ON YOU END
QUOTE. CHRISTOPHER

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